S.B. CRIMINAL REVISION PETITION NO.370/2006
(Jugal Kishore & Ors. vs. State of Rajasthan)

Date :: 23.05.2006

HON'BLE MR.JUSTICE H.R. PANWAR

Mr.Shyam S. Khatri, for the petitioners.
Mr.J.P.S. Choudhary, Public Prosecutor.

This criminal revision petition under Section 397 read with 401 Cr.P.C. is directed against the order dated 02.03.2006 passed by the learned Special Judge, SC and ST (Prevention of Atrocities) Act Cases, Bikaner (for short the trial court) in sessions case No.6/2006 whereby the trial court framed the charges against the petitioners for offence under Sections 143, 353, 504 IPC and Section 3(1)(X) of the SC and ST (Prevention of Atro) Act, 1989 (for short the Act of 1989).

I have heard learned counsel for the petitioners and the learned Public Prosecutor for the State and perused the order impugned.

The allegations against the present petitioner is that the employees of Municipality, Nokha namely Sita Ram, Laxminarayan, Kailash Chandra, Pushpa Devi, Chautha Ram, Rita Ram, Sunder Lal, Meera Devi, Om Prakash, Radhe Shyam, Ratan Lal and Suresh who were public servant engaged in removing the encroachment and they are discharging their public duties and some of them who

are members of Schedule Caste were assaulted by the petitioners. It is alleged that the petitioner knowing that employees of Municipality, Nokha are the members of Schedule Caste, assaulted them by using criminal force to deter being public servant from discharging their duties. There is also allegations that the petitioners abused the officials of the Municipality who were engaged in removing the encroachment under the lawful order of Municipality.

keeping in view, the evidence prima facie available on record, I am of the view that the trial court was justified in framing the charges against the petitioners for the offences noted above.

In the circumstances, therefore, I do not find any error or illegality in the order impugned warranting interference in the revisional jurisdiction. The criminal revision petition is accordingly dismissed.

[H.R. PANWAR],J.

Ashwini/-